



Date: August 13, 2004
To: Members of the Marine Advisory Commission
From: Mark A. Sandoval, Manager of Marinas and Beaches
Subject: MEETING MINUTES OF August 12, 2004
MARINE ADVISORY COMMISSION (MAC)

Commissioners Present

Richard L. Miller, Chair
Bradley Whyte, Vice Chair
Mike Reed
Holly Carpenter
Mike Malbon
Randy Crawford
David Calhoun
Peter Hogenson

Marine Bureau Personnel

Mark Sandoval, Manager, Marine Bureau
Vivian Crook, Secretary, Marine Bureau

City Staff

Jeff Edwards, Supt., Marine Maint.
Mark Boone, Chief, Marine Safety, LBFD
Tom Keleher, LBPD Sergeant, Marine Patrol
Sue Prell, Sergeant, Marine Patrol
Dave Akins, Marine Patrol Officer
Lisa Berglund, Admin.Analyst, 3rd Dist.
Robert Lafoon-Villegas, Admin.Analyst, 2nd Dist.
Geoffrey Hall, Special Projects Officer
Greg Answlene, Intern
Drew Satariano, Recreation Commissioner
Peggy Preacely, Project Coordinator, Health Dept.
Bridget Saltzman, Health Dept.
Judith Luong, Health Dept.

Commissioners Absent

Harry Hutton

Guests

Amy Bently-Smith, Grunion Gazette
Joe Segura, Press Telegram
Don Cobleigh, LBMBOA
Carl Kirnbauer, LBMBOA
Larry Goodhue
Justin Rudd (dog beach issue)
Ted Kuhn
Bill Sexton
Marty Sexton
Jim Walker
Nancy Buchanan
William Sheelan

Chairman Miller convened the meeting at 2:30 p.m., at the Long Beach Yacht Club.

ROLL CALL

Mark Sandoval called the roll of commissioners and introduced Marine Bureau personnel, City staff and guests.

CONSENT CALENDAR

- The July 15, 2004, MAC minutes were reviewed and approved with a correction on page one to show Richard Miller as Chair, and Bradley Whyte as Vice Chair.

PUBLIC COMMENT

- Larry Goodhue stated his concerns regarding the removal of the fence at the band concert area at Marine Stadium. According to Mr. Goodhue, the fence had served to protect the marine dynamics, and to direct the general public to use Marina Vista Park.
- Larry Goodhue said that he read in Beach Week about the Parks and Recreation Commission's approval of the installation of a Goodwill donation center across from Will Rogers Mini Park in Belmont Shore. He felt that this "drop-off" site was inappropriately approved. He said that since it is in the MAC's neighborhood, and it impacts the marine environment, it should have been reviewed by the MAC.

NEW BUSINESS

- Geoff Hall reported that last Tuesday night, the City Council unanimously approved a recommendation from Councilman Baker to request that the MAC consider the issue of smoke free beaches, and make a recommendation to the City Council. He provided the MAC with a matrix showing other cities and their ordinances against smoking on the beach.

He stated that his purpose at this meeting was not to debate the issue, but rather to establish a date for a public hearing, and get input on a proposed policy that will be a starting point for discussion. He said that staff wants to preliminarily recommend that the policy include all sand areas of the beaches except the outdoor dining areas associated with concessions, the beach bike path, and beach launch ramps. Smoking would still be permitted in the beach parking lots, the marinas and the Belmont Pier.

Mark Sandoval stated that he has reserved Council Chambers to hold a Public Hearing to on September 2, 2004.

Peggy Preacely remarked that the majority of Californians do not smoke. She said that this ban would provide an opportunity to protect natural resources, from a health point of view. She said she would be happy to work with the commission on this issue, and asked MAC to support the smoking ban.

Chairman Miller commented that enforcement is a real problem.

Peggy Preacely said that the smoking ban would be self enforcing, a social norm change.

Vice Chairman Bradley said that enforcement is difficult to monitor, and, as noted by the Dog Zone Program, self-enforcement doesn't work.

Robert Lafoon-Villegas reported that Councilman Baker's office receives many complaints from constituents regarding people discarding their cigarette butts on the beaches. He said that Long Beach needs to pick up after itself, and not expect upstream cities to be the only ones to clean up their act. He stated that initially people were afraid that the no smoking ban imposed in the State would have a negative effect on restaurants and business, however no money has been spent on enforcement and businesses are now smoke free.

Jeff Edwards said that sand sifting equipment cannot pickup small items like cigarette butts, and that taking steps to lessen this problem would be very helpful.

Geoff Hall said that the Beach Maintenance Supervisor told him that 60 percent of cigarette butts found on the beach come from Long Beach users, and the other 40 percent come from the river.

Commissioner Malbon asked to be provided with a definition or a statement of what the ordinance would be trying to achieve.

Chairman Miller asked if there were grants available that could be tapped into for the purchase of signage.

Peggy Preacely said that there was a settlement by the Attorney General that required the tobacco companies to put out information about the health dangers of their product, and some signage was paid for with funds from this settlement. She suggested possibly adding information regarding the ban to signs already posted on the beaches.

Mark Sandoval said that the City would give a presentation that would include statistics, and if there were issues that commissioners wanted to know about before hand, they should contact Geoff, and he would make sure that the answers to those issues are part of the City's staff report. Once the staff report is presented, it will be opened to public comment.

- Mark Sandoval presented a recommendation for a wide slip fee in LBSM. This fee is being proposed due to the reconfiguration of the LBSM. Once the reconfiguration is complete, there will be 73 slips wider than the normal power slip. He recommended the adoption of a per square foot fee of 60 cents per square foot of permitted space, which is equal to the same lineal foot fee as a standard 30 foot slip with a 15 foot width. This recommendation is in the proposed budget package, which will be heard by the City Council this month and next month, for adoption by October 1, 2004.

Mark Sandoval explained that the Marine Bureau is one foot above DBAW guidelines for standard power slip width.

Commissioner Malbon suggested that as part of the policy this wording be included as part of the policy for clarification, and not be left open to interpretation

It was moved by Commissioner Crawford and seconded by Commissioner Carpenter that the MAC recommend approval of the wide slip fee change as proposed. The motion passed unanimously.

- Geoff Hall stated that next month he will come before the MAC and ask for their recommendation regarding the continuation of the Dog Zone Program, due to expire in October. He gave an update on the general state of affairs and an overview of the evaluation process currently underway. He said that the Dog Zone is hugely popular with residents and people from far away. He has received a tremendous amount of positive email. An estimated 700 to 900 dogs per week are visiting the beach. The program is getting a lot of good press. However, there are problems. Rules are not being followed, i.e., dogs outside the dog zone, more than one dog per adult, owners not cleaning up after dogs, aggressive dogs, dogs under four months old, dogs not wearing a collar. He said that many people know the rules but don't follow them. He has received several more incident reports from individuals who have felt threatened by dogs outside the dog zone, or by dogs who were unleashed in places where they were supposed to be leashed. Staff will install larger sign poles with bright pennants on top to indicate the dog zone area. He asked MAC Commissioners to visit Dog Zone on a weekend, and said that he, or Justin Rudd, would join the MAC members on their visit. Next month, he will provide results of sand samples taken. Water testing will also be done.

Commissioner Hogenson stated that he is in that area every weekend and sees signs that are destroyed or mutilated. He said it appears that some people do not want to follow the rules.

Commissioner Crawford stated his concern regarding the high number of violations. He commented that there is already a dog zone area by the golf course on 7th Street, and one in Huntington Beach on the beach. He said that he did not want to see Lifeguards handling enforcement issues with the dog zone; their job is to see to it that people are safe on the beach and in the water.

Vice Chairman Miller said that enforcement cannot be left for Lifeguards to handle.

Geoff Hall said that Animal Control is too busy with the West Nile Virus (mosquito abatement, and picking up sick and dead birds), and cannot help out with enforcement issues at the Dog Zone. He is looking for some sort of mechanism to provide funding for regular spot enforcement, so that people get the message that they need to comply with the rules. He said that Lifeguards are there to watch the water, and are only helping out during this evaluation period.

Mr. Sexton said that he goes to the dog beach every day with his dog and sees no real problems.

A woman said that she has picked up after other dogs, but that the infractions are occurring less and less.

A man who lives in the area said that he frequently sees dog owners ignoring the rules. They use short cuts to the dog zone, let their dogs go out of the area, do not pick up after their dogs, and are taking more than one dog. He sees these infractions every week. He stated that he usually finds ten or twelve piles of dog poop on the beach weekly. He said that the dog beach is a good idea and he hopes it succeeds, but that there needs to be enforcement, and better signage would help.

A woman suggested that dog bags be posted at the entrance to the dog beach.

Commissioner Carpenter said that she loves the dog beach and that she has never seen a problem, but that she is concerned about taking Lifeguards away from their duties to monitor dogs and their owners. She suggested posting an article in the newspaper stating that the Dog Zone on the beach might be lost if the rules aren't followed.

Geoff Hall explained that the Dog Zone Program was established by ordinance and requires two readings and a 30-day waiting period. The pilot program expires the end of October and will need to go back before the City Council by the middle of September. Today's purpose was purely informational. Next month he will come before the MAC with additional data, and at that point will ask the MAC for their recommendation.

Mark Sandoval said that the City has been working to make the beaches more used, however there are critics of the Dog Zone. This program was envisioned as a self-policing program, with volunteers stemming a lot of the rule violations. The message needs to get out that violations like the ones listed are putting this program at risk. It is obvious that there a lot of people ignoring the rules, more signage won't change people who know the rules and still break them. Enforcement costs money, and the City does not have the funds to provide enforcement. Lifeguards are in the area, but they are out there to save lives, not to ticket dog owners for infractions.

Commissioner Malbon said that the observations made by Lifeguards are very helpful. He felt it would be useful to address these issues and recommendations before going to an approved program. We shouldn't put together an ordinance that will lock the City in to any offensive action towards the users of this beach area.

Chairman Miller referred the issue to the Beach Operations Committee and asked Commissioner Malbon to work on this issue with the Committee.

BUREAU MANAGER'S REPORT

Marina Operations Report

Mark Sandoval gave the report for the Marine Bureau Major Accomplishments, the Activity Report for ABM/LBSM, and the Total Vessels In and Out by Marina for the month of July.

- Mark Sandoval stated that attrition is hurting the revenues of the Bureau, but that an aggressive Temporary Authorization (TA) Program has been implemented and will help to mitigate the impact felt from the vacant slips. He explained that vacant slips not needed for the rebuild are being filled either from the waiting list or with TAs.

Maintenance Operations Report

Jeff Edwards gave the Marine Maintenance status report for the month of July.

- The Basin 6 South parking lot in ABM was not structurally sound enough for slurry seal only. An estimate of \$45,000 to correct structural deficiencies is needed. Money is being sought for this project.
- The bar gate and the spike rack are now in place at the parking lot at Mother's Beach.
- The Maintenance Bureau's portion of the MAC package now includes printed data on beach replenishment instead of a map chart. The commissioners said that the printed information was much easier to read, and makes more sense to them.
- The sign at Chrisman's Marina warning of danger due to an underwater power line was not placed there by Maintenance, and there is no municipal code section on the sign to refer to, nor is there a phone number to contact. Also, it is not within the Maintenance Bureau's jurisdiction to remove the sign from private property. Mark Sandoval said that Chrisman's Marina has a lease with the City, and he believes they put the sign up as a scare tactic to keep people out of the area.
- Chairman Miller asked if the recommendations for the new interpretative center at the Colorado Lagoon will come before the MAC for their review, or will this item bypass them like the Goodwill donation center site.

Jeff Edwards said that minor renovations will be done to the exterior of the building. The footprint of the building will not change. There will only be aesthetic changes. The renovation will not affect the model boat shop. The final configuration will be brought before the MAC for their review.

- Commissioner Hogenson commented that, due to heavy use after the concerts, the restrooms at 72nd Place are in need of a good cleaning.

Jeff Edwards said that restrooms are cleaned daily. However, Maintenance is very short staffed on the custodial side due to recent changes in personnel, budget cuts, and retirements. He has been able to hire non-career workers to help alleviate the situation, and said that he would make every effort to keep on top of the rest room cleaning.

- Commissioner Crawford asked if it were possible to install bird deflectors at the tops of the palm trees around the marina.

Jeff Edwards explained that the Herons are federally protected birds and their nesting habits cannot be disturbed. Marine Maintenance works with the Audubon Society and the Department of Fish and Game, and an ornithologist under contract with the City, to deal with the birds and tree trimming work. Tree trimming is done around nesting season. He instructed them to call him and let him know where there are problems and they will get the area steamed cleaned.

- Commissioner Hogenson wanted to know who is authorized to monitor the beach environment. He said he read in the paper last week that beaches are monitored weekly for bacterial counts.

Geoff Hall said that test results can be found on the Health Department's Web site.

Commissioner Hogenson felt that if these bacterial counts are related to marine activities, then the MAC should address these issues.

Mark Boone said that the Health Department tests for caliform (a state requirement), and that the counts go up after storms due to storm drain run-off. He said that we are in what is considered a drought period.

Marine Safety Report

Lifeguard Chief Mark Boone gave the Marine Safety status report for the month of July.

- There were more contacts during this reporting period due to warmer than normal weather.
- Junior Lifeguard Regionals were held at Granada in July.
- By the end of this summer season, Marine Safety will have supported 34 special events.
- A Rescue Boat Operator (RBO) is in the process of retiring. Marine Safety is putting together an RBO exam to fill the position
- A purchase order for three John Deer engines has been finalized with grant monies from DBAW.
- There were over 300 participants in the Stud Ironman competition
- Lifeguards rescued a kayaker who rolled over and was in full arrest when Lifeguards arrived on scene. Last week he came down to Headquarters and thanked Lifeguards for rescuing him.
- The Lifeguard Hall of Fame Dinner will be held September 17. Roger Coulter and Jim Rae will be inducted into the Hall of Fame.

Marine Patrol Report

LBPd Sergeant Tom Keleher reported on Marine Patrol activities for the month of July.

- Currently the Marine Patrol Division is six officers down.
- The XGames held in Marine Stadium went well.
- A Marine Patrol Officer heard shots fired in the LBSM area, went to investigate, and single handedly took the suspect into custody.

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Executive MAC

- All items covered.

Operations Committee

- All items covered.

Facilities Committee

Commissioner Reed reported on Facilities Committee issues:

- There are no monies available for beach erosion projects until next year.
- A Request for Qualifications (RFQ) has gone out for the development and operation of a restaurant at the end of the Belmont Pier. The RFQs are due October 15.
- Plans are being redesigned for the sign wall at Jack Nichol Park.
- Former MAC Commissioner, Bud Johnson, has been named as a DBAW Commissioner.
- There is a possibility that DBAW could be reorganized and come under the Secretary of Infrastructure. There is also the possibility of DBAW being dissolved altogether.

Finance Committee

Mark Sandoval gave the year to date report on revenues and expenditures for the Marina, Beaches and Waterways, and Rainbow Harbor Funds.

COMMENTS FROM COMMISSIONERS

- Chairman Miller asked Mark Sandoval if he had any information on the new floats being built at the end of Apian Way and Bayshore. Mark said that he would check on it.
- Chairman Miller remarked that he believed the Recreation Commission's approval of the Goodwill donation site was an infringement on the MAC's area of jurisdiction, as was the decision regarding the Colorado Lagoon building. He felt that these items should have come before the MAC for review, since they are in the marinas and beaches area.

Mark Sandoval said that he would let Phil know about the MAC's questions regarding jurisdiction and projects that fall under the MAC's purview.

COMMENTS FROM THE AUDIENCE

- None

ADJOURNMENT

Meeting adjourned at 5:10 p.m. The next meeting is set for September 9, 2004, at 2:30 p.m.

cc: Phil T. Hester, Director of Parks, Recreation and Marine
City Clerk